IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

WP(C).No. 4037 of 2004(E)

PETITIONERS:
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1. VARGHESE GREGORY,
MANAMEL, KURISUMMOOD, CHANGANACHERY.

2. VARGHESE VARGHESE,
PLAMPARAMPIL, VADAKKEKARA, CHANGANACHERY.

BY ADV. SRI.N.K.SUBRAMANIAN

RESPONDENTS:
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1. VAZHAPPALLI GRAMA PANCHAYAT,
VAZHAPPALLI, REP. BY ITS SECRETARY,
VAZHAPPALLI GRAMA PANCHAYATH, VAZHAPPALLI,
KURISUMMOOD P.O., CHANGANACHERY.

2. THE SACRED HEART CHURCH,
CHETHIPUZHA, P.O. KURISUMMOOD, REP. BY ITS VICAR,
FR.JAMES THAYYIL.

***3. BABU P.M., AGED 43 YRS, S/O. LATE JOSEPH,
PARAKKUZHIYIL, KURUSUMMOODU P.O.,
CHETTIPUZHA, CHANGANACHERY.**

**4. ANEESH (THOMAS SEBASTIAN), S/O. LATE DOMINIC,
AGED 37 YRS, KADAMTHODU HOUSE,
KURUSUMMOODU P.O., CHETTIPUZHA,
CHANGANACHERY.**

***ADDL.R 3 AND R4 ARE IMPLEADED AS PER ORDER
DATED 17/02/2004 IN IA NO. 2312/2004.**

**R2 BY ADV. SRI.C.S.MANU
SRI.ANOOP.V.NAIR -- R3 & R4
SRI.T.S.JOHN - SC FOR R1
SRI.M.S.RADHAKRISHNAN NAIR**

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 4037/2004 E

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE PHOTOGRAPH SHOWING THE CONSTRUCTION.

EXT.P2. COPY OF THE REPRESENTATION BY THE PETITIONERS AND OTHERS TO THE R2, DT. 10/1/2004.

RESPONDENT'S EXHIBITS

EXT.R2A. COPY OF THE JUDGMENT IN WPC NO. 31857/2003 DT. 17/12/2003.

EXT.R2B. COPY OF THE JUDGMENT IN WPC NO. 20551/2003 DT. 16/09/2003.

EXT.R2C. COPY OF THE PLAINT IN OS NO. 143/2003 DT. 24/5/2003.

EXT.R3A. COPY OF THE REPRESENTATION DT. 9/2/2004 BY THE PETITIONERS BEFORE THE VAZHAPPALLY GRAMA PANCHAYAT.

True copy

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KURIAN JOSEPH , J

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W.P.(C) NO. 4037 OF 2004

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Dated this the 29th day of June, 2007.

JUDGMENT

The matter pertains to the consent for construction. There is already an interim order dated 09.02.2004 to take a decision in Ext.P2. In view of the intervening developments, in case the petitioner has still any grievance left, it will be open to them to pursue the same in appropriate proceedings.

The writ petition is disposed of accordingly.

KURIAN JOSEPH, JUDGE.

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